

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

Harry Cherry ,  
  plaintiff,

## DISMISSAL FOR FAILURE TO PROSECUTE

-VS-

CV-19-4139(FB)(CLP)

Alexandria Ocasio-Cortez,  
defendant.

The docket in this matter reflected no activity since September 24, 2019, upon review by the Court.

On December 26, 2019 the Court issued an electronic status report order as the posture of this case and mailed a copy to the pro se plaintiff. The notice indicated failure to file reply by January 15, 2020 may result in an order dismissing this case for failure to prosecute. As of this date the Court has not received any response from the pro se plaintiff. Accordingly it is

HEREBY ORDERED that this action is dismissed, without prejudice, for failure to prosecute pursuant to Rule 41(a)(2) of the F.R.C.P. Upon a showing of good cause for failure to comply with the Court's December 26, 2019 electronic order may result in the Court re-opening this action. The Clerk of the Court is directed to enter judgment.

SO ORDERED

/S/ Frederic Block  
UNITED STATES DISTRICT JUDGE

DATED: Brooklyn, New York  
January 27, 2020

cc.: Harry Cherry, Pro Se Plaintiff (by regular mail)